

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE \* BKRTCY. NO. 15-06002 ESL  
YAJAYRA TORRES MELENDEZ \* CHAPTER 7  
DEBTOR \*

**DEBTOR'S MOTION CONCERNING AMENDMENT TO SCHEDULE "F"**

**TO THE HONORABLE COURT:**

**COMES NOW, YAJAYRA TORRES MELENDEZ**, the debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays as follows:

1. The debtor is hereby submitting ***Amended Schedule "F"***, dated October 22, 2015, herewith and attached to this motion.

2. This amendment to Schedule "F" is filed to include unsecured creditor Junta de Residentes Villas de Johnny Toledo, Inc., PO Box 10000 Suite 367 Cayey PR 00737 and its Attorney Melvyn E Fontan Lozada, Esq., PO Box 124 Bayamon PR 00960-0124, total balance \$2,783.50 (\$1,285.50 for HOA fees, plus \$60 costs, \$88 legal expenses, \$500 and \$850 for attorney's fees).

**NOTICE PURSUANT TO LOCAL BANKRUPTCY RULE 1009(b)**

3. That a copy of the original Notice of 341 Meeting of Creditors is being attached to the present notice of amended Schedule "F".

4. That notice is hereby given that the creditor included herein has a right to file complaints under 11 USC Sections 523 and 727, objections to claims of exemptions within sixty (60) days of service of the papers required by this LBR or within the time set for previously scheduled creditors to file those complaints or objections, whichever is later.

**Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S.**

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Notice of Amended Schedule "F"  
Case no. 15-06002 ESL7

**Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.**

#### **CERTIFICATE OF SERVICE**

I CERTIFY, that on this same date a copy of this Notice was filed with the Clerk of the Court using the CM/ECF system which will send notice of same to the Chapter 7 Trustee, the US Trustee's Office, and all CM/ECF participants; I also certify that a copy of this notice was sent via regular US mail to the debtor and to all creditors and interested parties appearing in the master address list, hereby attached, specifically to the affected creditors as follows: **Junta de Residentes Villas de Johnny Toledo, Inc. PO Box 1000 Suite 367 Cayey PR 00737 and its Attorney Melvyn E Fontan Lozada, Esq., PO Box 124 Bayamon PR 00960-0124.**

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico, this 22<sup>nd</sup> day of October, 2015.

/s/*Roberto Figueroa Carrasquillo*  
USDC #203614  
RFIGUEROA CARRASQUILLO LAW OFFICE PSC  
ATTORNEY FOR PETITIONER  
PO BOX 186 CAGUAS PR 00726  
TEL NO 787-744-7699 FAX 787-746-5294  
Email: [rfigueroa@rfclawpr.com](mailto:rfigueroa@rfclawpr.com)

IN RE TORRES MELENDEZ, YAJAYRA

Case No. 3:15-bk-6002

Debtor(s)

(If known)

**AMENDED SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER. <i>(See Instructions Above.)</i>	CODEBTOR HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 7760  Banco Popular De Puerto Rico Gpo Box 3228 San Juan, PR 00936	H	REVOLVING ACCOUNT OPENED 6/2007				5,916.00
ACCOUNT NO. 1963  Banco Popular De Puerto Rico Gpo Box 3228 San Juan, PR 00936	H	REVOLVING ACCOUNT OPENED 6/2007				2,569.00
ACCOUNT NO. 2569  Citibank N.A. 8875 Aero Dr Ste 200 San Diego, CA 92123	H	OPEN ACCOUNT OPENED 12/2014				5,781.00
ACCOUNT NO.  Midland Funding 8875 Aero Dr Ste 200 San Diego, CA 92123		Assignee or other notification for: Citibank N.A.				
<hr/>			Subtotal (Total of this page)	\$ 14,266.00		
<hr/>			Total (Use only on last page of the completed Schedule F. Report also on the Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	\$		

2 continuation sheets attached

B6F (Official Form 6F) (12/07) - Cont.

IN RE TORRES MELENDEZ, YAJAYRA

Case No. 3:15-bk-6002

Debtor(s)

(If known)

**AMENDED SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
**(Continuation Sheet)**

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER. <i>(See Instructions Above.)</i>	CODEBTOR HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. <b>9853</b>  Claro Po Box 360998 San Juan, PR 00936	H	OPEN ACCOUNT OPENED 5/2013				321.00
ACCOUNT NO. <b>2447</b>  Claro Po Box 360998 San Juan, PR 00936	H	OPEN ACCOUNT OPENED 10/2012				71.00
ACCOUNT NO. <b>2654</b>  DTOP PO Box 41269 MINILLAS STATION SAN JUAN, PR 00940-1269		Ticket #33830490 (\$50) Ticket #29569417 (\$250)				300.00
ACCOUNT NO. <b>3467</b>  Falcon Collection Agency Lcda Karen M Grana RR 4 Box 26040 Toa Alta, PR 00953-9471						189.42
ACCOUNT NO.  Junta De Residentes Villas Johnny Toledo PO Box 10000 Suite 367 Cayey, PR 00737		HOA Fees				2,783.50
ACCOUNT NO.  Melvyn E Fontan Lozada, Esq. Attorney For ARJT, Inc. PO Box 124 Bayamon, PR 00960-0124		Assignee or other notification for: Junta De Residentes Villas Johnny Toledo				
ACCOUNT NO. <b>2344</b>  Syncb/jc Penney Pr Po Box 965007 Orlando, FL 32896	H	REVOLVING ACCOUNT OPENED 1/2002				1,235.00

Sheet no. 1 of 2 continuation sheets attached to  
Schedule of Creditors Holding Unsecured Nonpriority ClaimsSubtotal  
(Total of this page) \$ **4,899.92**

Total

(Use only on last page of the completed Schedule F. Report also on  
the Summary of Schedules, and if applicable, on the Statistical  
Summary of Certain Liabilities and Related Data.)

\$

B6F (Official Form 6F) (12/07) - Cont.

IN RE TORRES MELENDEZ, YAJAYRA

Debtor(s)

Case No. 3:15-bk-6002

(If known)

**AMENDED SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
**(Continuation Sheet)**

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER. <i>(See Instructions Above.)</i>	CODEBTOR HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	AMOUNT OF CLAIM
				DISPUTED	
ACCOUNT NO. <b>8581</b> Us Dept Of Ed/gleisi 2401 International Madison, WI 53704	H	INSTALLMENT ACCOUNT OPENED 9/2011			<b>5,464.00</b>
ACCOUNT NO.					
ACCOUNT NO.					
ACCOUNT NO.					
ACCOUNT NO.					
ACCOUNT NO.					
ACCOUNT NO.					
ACCOUNT NO.					
ACCOUNT NO.					
ACCOUNT NO.					
ACCOUNT NO.					

Sheet no. **2** of **2** continuation sheets attached to  
Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal (Total of this page)	\$ <b>5,464.00</b>
Total	\$ <b>24,629.92</b>
	\$ <b>24,629.92</b>

(Use only on last page of the completed Schedule F. Report also on  
the Summary of Schedules, and if applicable, on the Statistical  
Summary of Certain Liabilities and Related Data.)

B6 Declaration (Official Form 6 - Declaration) (12/07)

IN RE TORRES MELENDEZ, YAJAYRA

Debtor(s)

Case No. 3:15-bk-6002

(If known)

### AMENDED DECLARATION CONCERNING DEBTOR'S SCHEDULES

#### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 3 sheets, and that they are true and correct to the best of my knowledge, information, and belief. *Sdr. F*

Date: October 22, 2015

Signature: /s/ YAJAYRA TORRES MELENDEZ  
YAJAYRA TORRES MELENDEZ

Debtor

Date:

Signature:

(Joint Debtor, if any)

[If joint case, both spouses must sign.]

#### DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342 (b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required by that section.

Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer

Social Security No. (Required by 11 U.S.C. § 110.)

If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs the document.

Address

Signature of Bankruptcy Petition Preparer

Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

A bankruptcy petition preparer's failure to comply with the provision of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

#### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the \_\_\_\_\_ (the president or other officer or an authorized agent of the corporation or a member or an authorized agent of the partnership) of the \_\_\_\_\_ (corporation or partnership) named as debtor in this case, declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of \_\_\_\_\_ sheets (total shown on summary page plus 1), and that they are true and correct to the best of my knowledge, information, and belief.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

(Print or type name of individual signing on behalf of debtor)

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

*Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.*

## UNITED STATES BANKRUPTCY COURT District of Puerto Rico

**Notice of  
Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines**

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 8/6/15.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

**Creditors — Do not file this notice in connection with any proof of claim you submit to the court.  
See Reverse Side For Important Explanations**

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

YAJAYRA TORRES MELENDEZ  
PO BOX 5368  
CAYEY, PR 00737

Case Number: 15-06002 -ESL 7	Social Security / Individual Taxpayer ID / Employer Tax ID / Other nos: xxx-xx-2654
Attorney for Debtor(s) (name and address): ROBERTO FIGUEROA CARRASQUILLO PO BOX 186 CAGUAS, PR 00726-0186 Telephone number: 787 744-7699	Bankruptcy Trustee (name and address): ROBERTO ROMAN VALENTIN US TRUSTEES OFFICE PO BOX 9024003 SAN JUAN, PR 00902-4003 Telephone number: 787-740-6011

**Meeting of Creditors**

Date: September 15, 2015

Time: 08:30 AM

Location: OCHOA BUILDING, 500 TANCA STREET , FIRST FLOOR, SAN JUAN, PR 00901

**Presumption of Abuse under 11 U.S.C. § 707(b)**  
*See "Presumption of Abuse" on reverse side.*

The presumption of abuse does not arise.

**Deadlines:**

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

**Deadline to Object to Debtor's Discharge or to Challenge Dischargeability of Certain Debts: 11/16/15**

**Deadline to Object to Exemptions:**  
Thirty (30) days after the *conclusion* of the meeting of creditors.

**Creditors May Not Take Certain Actions:**

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

**Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.**

**Creditor with a Foreign Address:**

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

**Address of the Bankruptcy Clerk's Office:**

Jose V Toledo Fed Bldg & US Courthouse  
300 Recinto Sur Street, Room 109  
San Juan, PR 00901  
Telephone number: (787) 977-6000

**For the Court:**

Clerk of the Bankruptcy Court:  
MARIA DE LOS ANGELES GONZALEZ

Hours Open: Monday – Friday 8:00 AM – 4:00 PM

Date: 8/7/15

**EXPLANATIONS**

B9A (Official Form 9A) (12/12)

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under Chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Presumption of Abuse	If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date specified in a notice filed with the court.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline. <i>Do not include this notice with any filing you make with the court.</i>
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) or that a debt owed to you is not dischargeable under Bankruptcy Code §523(a)(2), (4), or (6), you must file a complaint — or a motion if you assert the discharge should be denied under §727(a)(8) or (a)(9) — in the bankruptcy clerk's office by the "Deadline to Object to Debtor's Discharge or to Challenge the Dischargeability of Certain Debts" listed on the front of this form. The bankruptcy clerk's office must receive the complaint or motion and any required filing fee by that deadline.
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objections by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
<b>Refer to Other Side for Important Deadlines and Notices</b>	

Label Matrix for local noticing

0104-3

Case 15-06002-ESL7

District of Puerto Rico

Old San Juan

Thu Oct 22 15:41:10 AST 2015

Banco Popular De Puerto

Gpo Box 3228

San Juan, PR 00936

US Bankruptcy Court District of P.R.

Jose V Toledo Fed Bldg & US Courthouse

300 Recinto Sur Street, Room 109

San Juan, PR 00901-1964

AEELA

PO Box 364508

San Juan, PR 00936-4508

Citibank N.a.

8875 Aero Dr Ste 200

San Diego, CA 92123-2255

Claro

Po Box 360998

San Juan, PR 00936-0998

DTOP

PO Box 41269 MINILLAS STATION

SAN JUAN, PR 00940-1269

FIRSTBANK (475)

PO BOX 9146

SAN JUAN, PR 00908-0146

Falcon Collection Agency

Lcda Karen M Grana

RR 4 Box 26040

Toa Alta, PR 00953-9471

First Bank

Box Fj Fernandez Juncos Sta

Santurce, PR 00910

Midland Funding

8875 Aero Dr Ste 200

San Diego, CA 92123-2255

SISTEMA DE RETIRO

PO BOX 191879

SAN JUAN, PR 00919-1879

Syncb/jc Penney Pr

Po Box 965007

Orlando, FL 32896-5007

Us Dept Of Ed/gleisi

2401 International

Madison, WI 53704-3121

MONSITA LECAROZ ARRIBAS

OFFICE OF THE US TRUSTEE (UST)

OCHOA BUILDING

500 TANCA STREET SUITE 301

SAN JUAN, PR 00901

ROBERTO FIGUEROA CARRASQUILLO

PO BOX 186

CAGUAS, PR 00726-0186

ROBERTO ROMAN VALENTIN

US TRUSTEES OFFICE

PO BOX 9024003

SAN JUAN, PR 00902-4003

YAJAYRA TORRES MELENDEZ

PO BOX 5368

CAYEY, PR 00737

End of Label Matrix

Mailable recipients 17

Bypassed recipients 0

Total 17

Junta De Residentes Villas Johnny Toledo

PO Box 10000 Suite 367

Cayey, PR 00737

Melvyn E Fontan Lozada, Esq.

Attorney For ARJT, Inc.

PO Box 124

Bayamon, PR 00960-0124